

MARK A. MILLER SBN 216831
DONALD SIMONDS SBN 215790
EL DORADO HILLS LAW GROUP
Law Office of MILLER & SIMONDS
4944 Windplay Drive, Suite 114
El Dorado Hills, CA 95762
Telephone: (916) 941-6513
Facsimile: (916) 941-9527

Attorneys for Plaintiff
GINGER Y. SEITLES

RIMAC & MARTIN, P.C.
JOSEPH M. RIMAC SBN. 72381
ANNA M. MARTIN SBN 154279
amartin@rimacmartin.com
1051 Divisadero Street
San Francisco, California 94115
Telephone (415) 561-8440
Facsimile (415) 561-8430

Attorneys for Defendants
UNUMPROVIDENT CORPORATION and
UNUM LIFE INSURANCE COMPANY OF AMERICA

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

GINGER Y. SEITLES,

Plaintiff,

vs.

UNUM PROVIDENT, UNUM LIFE
INSURANCE COMPANY OF AMERICA,

Defendants.

CASE NO. CIV. S-04-02725 FCD DAD

**STIPULATION AND ORDER
EXTENDING STAY OF ACTION**

STIPULATION

Plaintiff GINGER Y. SEITLES (“plaintiff”) and defendants UNUM PROVIDENT and UNUM LIFE INSURANCE COMPANY OF AMERICA (“UNUM”) hereby stipulate and agree as follows:

1. On March 24, 2005, the parties filed a stipulation to stay this proceeding pending UNUM’s reassessment of plaintiff’s claim, as described in the stipulation, and the Court approved the stay by its order entered March 28, 2005. (Stipulation and Order, Exh. A hereto.) The Court ordered the parties to submit a Joint Case Management Statement within six months of the stay order.

2. UNUM makes the following representations to plaintiff and the Court: Many California residents are among those UNUM insureds or claimants who have elected reassessment. However, the California Department of Insurance and UnumProvident have an understanding that these claims will be reassessed only after an agreement is reached between them with respect to the California Market Conduct Exam, which agreement might include modifications to the reassessment process currently outlined in the Multistate Regulatory Settlement Agreement. In light of this fact and of the volume of claims being reconsidered, UNUM currently estimates that reassessment of plaintiff’s claim may not be completed until December 2006.

3. Accordingly, the parties jointly request that this Court grant a further extension of the stay of these proceedings until the earliest of (1) UNUM’s notice to the Court that it has completed the reassessment process; (2) December 31, 2006; or (3) 45 days from the date upon which a Notice To Reopen Action is filed by either party with the Court and served upon opposing counsel. The parties stipulate that such notice also will serve as a request to this Court to schedule a case management conference at the earliest possible date after receiving notice..

Pursuant to local rules, this document is being electronically filed through the Court’s ECF System. In this regard, counsel for defendant hereby attests that (1) the content of this

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document is acceptable to all persons required to sign the document; (2) plaintiff's counsel has signed this document; and (3) the signed document is available for inspection upon request.

SO STIPULATED.

MILLER & SIMONDS

DATED: September 21, 2005

By: /s/ DONALD SIMONDS
DONALD SIMONDS
Attorneys for Plaintiff
GINGER SEITLES

RIMAC & MARTIN, P.C.

DATED: September 21, 2005

By: /s/ ANNA M. MARTIN
ANNA M. MARTIN
Attorneys for Defendants
UNUMPROVIDENT CORPORATION and
UNUM LIFE INSURANCE COMPANY OF
AMERICA

ORDER

IT IS ORDERED that the stay of this action shall continue until the earliest of (1) UNUM's notice to the Court that it has completed the reassessment process; (2) December 31, 2006; or (3) 45 days from the date upon which a Notice To Reopen Action is filed by either party with the Court and served upon opposing counsel.

SO ORDERED.

DATED: September 21, 2005

/s/ Frank C. Damrell Jr.
UNITED STATES DISTRICT COURT JUDGE